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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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James A. Van Bosch

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MOTOROLA, INC.
LAW DEPARTMENT
1303 E. ALGONQUIN ROAD
SCHAUMBURG, IL 60196

EXAMINER

NGUYEN, STEVEN H D

ART UNIT

PAPER NUMBER

2616

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary	Application No. 10/004,669	Applicant(s) VAN BOSCH, JAMES A.	
	Examiner Steven HD Nguyen	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 8-11, 13, 15, 17, 18, 20-23, 36-44 and 47-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-11, 13, 15, 17-18, 20-23, 36-44, 47-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 8-11, 36, 38-39 and 47-48 rejected under 35 U.S.C. 103(a) as being unpatentable over Agraharam (USP 6407988) in view of Johnson (USP 6625135) and Kupczyk (USP 6751452).

Regarding claims 1-2, 8 and 47-48, Agraharam discloses a method of enabling communication with a wireless communication device, said method comprising the steps of registering the wireless communication device with a wireless communication network (Col. 7, line 1-22), wherein such registration comprises receiving a dynamic address (Col. 7, line 1-22); registering the wireless communication device with a server and providing home address of mobile to the server (Col. 7, line 23-54, Home agent); assigning a dynamic IP address to said wireless communications device coupled to a vehicle (Fig 5, Ref 105.2). However, Agraharam fails to fully disclose a method for providing to said server an unique identifier for said wireless communication device and said dynamic address assigned to said wireless communication device; receiving a message from a second communication device; comprising said unique identifier for said wireless communication device, and an operation to be performed by said wireless communication device, using said unique identifier from said message to determine the dynamic address for said wireless communication device at said server; and using said

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determined dynamic address to establish communication between said second communication device and said wireless communication device via said server. In the same field of endeavor, Johnson discloses providing to said server an unique identifier for said wireless communication device and said dynamic address assigned to said wireless communication device (Col. 5, lines 39-61); receiving a message from a second communication device comprising said unique identifier for said wireless communication device and an operation to be performed by said wireless communication device (Col. 5, lines 39-61, home agent receives a message include home address of mobile and source address of sender), using said unique identifier from said message to determine the dynamic address for said wireless communication device at said server (Col. 5, lines 39-61 using home address of mobile to determine the care of address of the mobile, then encapsulating the message with a new header includes care of address of mobile and home agent address before forward to the message to the mobile node); and using said determined dynamic address to establish communication between said second communication device and said wireless communication device via said server being a cellular (Col. 5, lines 39-61 using home address of mobile to determine the care of address of the mobile, then encapsulating the message with a new header includes care of address of mobile and home agent address before forward to the message to the mobile node); assigning a dynamic IP address to said wireless communications device coupled to a vehicle (col. 4 of '135 , lines 57-65). However, Agraharam and Johnson fails to disclose the message includes an operation. In the same field of endeavor, Kupczyk discloses a method and system for forwarding a message includes an operation from the sender to receiver (Figs 4-5 and 7-8, col. 8, lines 38-58) and storing an unique identifier and

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an authentication code of said second communication device in a memory of a wireless communication device (Fig 10, Ref 40 for storing access code and identifier of device).

Since, a method and system for conveying a command from a sender to receiver and mapping care of address with home address of mobile and using home address to locate care of address are well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a method and system for including a command into message as disclosed by Kupczyk into a method and system for forwarding a message to a mobile based on the mapping between the home address of the mobile and the care of address as disclosed by Johnson into the teaching of Agraharam. The motivation would have been route the packets between the devices.

Regarding claim 9, Agraharam, Johnson or Kupczyk discloses said message is received from said second communication device via said wireless communication network (Fig 7, 12 and 10).

Regarding claim 10, Kupczyk discloses operation controls said vehicle (Col. 8, lines 38-58).

Regarding claim 11, Agraharam, Johnson or Kupczyks discloses said message is received via a packet data link (Fig 7, 12 and 10, Col. 8, lines 38-58).

Regarding claim 36, Agraharam, Johnson or Kupczyks discloses said message is received from said second communication device via said server (Fig 7, 12 and 10).

Regarding claims 13 and 38, Agraharam, Johnson and Kupczyk fail to disclose providing said dynamic address to said second communication device. However, the examiner takes an official notice that a method and system for providing IP address of device to another device is

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well known and expected in the art at the time of invention was made. Therefore, it would have been obvious to one of ordinary skill in the art to provide an IP address of first device to second device into the teaching of Agraharam, Johnson and Kupczyk. The motivation would have been to route the packets via packet network.

Regarding claim 39, Johnson disclose said second communication device is a wireless communication device (Fig 12).

3. Claim 4 and 50 rejected under 35 U.S.C. 103(a) as being unpatentable over Agraharam, Johnson and Kupczyk as applied to claims 1 and 47 above, and further in view of Willkie.

Regarding claims 4 and 50, Agraharam, Johnson and Kupczyk fails to disclose the claimed invention. in the same field of endeavor, Willkie discloses said unique identifier for said wireless communication device is one of an electronic serial number of said wireless communication device or an International Mobile Subscriber Identity number of said wireless communication device (Col. 11, lines 2-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a method and system for using MIN or ESN as address as disclosed by Willkie into the teaching of Agraharam, Johnson and Kupczyk. The motivation would have been route the packets between the devices.

4. Claims 3, 17 and 49 rejected under 35 U.S.C. 103(a) as being unpatentable over Agraharam, Johnson/Schuyler and Kupczyk as applied to claims 1 and 47 above, and further in view of Raithel (USP 6842762).

Regarding claims 3, 17 and 49, Agraharam, Johnson/Schuyler and Kupczyk fail to disclose said unique identifier for said wireless communication device is a vehicle identification

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number (VIN) of said vehicle. In the same field of endeavor, Raithel discloses identifier is VIN (Col. 2, lines 10-20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply VIN as an identifier as disclosed by Raithel into the method and system of Agraharam, Johnson and Kupczyk. The motivation would have been to prevent a break down in the configuration data of the vehicle.

5. Claims 15, 18, 21-23 and 42 rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson (USP 6625135) in view of Kupczyk (USP 6751452).

Regarding claims 15, 18 and 42, Kupczyk discloses a method of enabling communication with a wireless communication device, said method comprising the steps of storing an unique identifier and an authentication code of said wireless communication device in a memory of a second communication device (Fig 10, Ref 40 for storing access code and identifier of wireless device for forming a message); transmitting a message from said second communication device (Fig 10, Ref 24') to said wireless communication device via a server (Fig 10, Ref 24'), and wherein said message comprises said unique identifier of wireless communication device, said authentication code of said wireless communication device, and an operation to be performed by said wireless communication device; and if said authentication code sent in said message is valid, controlling said wireless communication device based upon said operation (Col. 8, lines 38-58, packet includes target address, access code and command). However, Kupczyk fails to disclose wherein said server has stored a current dynamic address of said wireless communication device and unique identifier for said wireless communication device and using the unique identifier to look for dynamic address of the wireless communication device at the

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server. In the same field of endeavor, Johnson an unique identifier for said wireless communication device and said dynamic address assigned to said wireless communication device stored at a server (Col. 5, lines 39-61, home agent stores home address of mobile and source address of sender), using said unique identifier from said message to determine the dynamic address for said wireless communication device at said server (Col. 5, lines 39-61 using home address of mobile to determine the care of address of the mobile, then encapsulating the message with a new header includes care of address of mobile and home agent address before forward to the message to the mobile node).

Since, a method and system for storing addresses at a sever for using to route the packet to its destination is well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a method and system for storing a dynamic address of the wireless device in a server and using home address to look for care of address as disclosed by Johnson into the teaching of Kupczyk. The motivation would have been to route the packets to the wireless device.

Regarding claim 21, Johnson or Kupczyks discloses said message is received via a packet data link (Figs 12 and 10, Col. 8, lines 38-58).

Regarding claim 22, Johnson or Kupczyk discloses said message is received from said second communication device via said wireless communication network (Figs 12 and 10).

Regarding claim 23, Johnson discloses a steps of receiving said dynamic address assigned to said wireless communication device; and sending subsequent messages directly to said wireless communication device via said dynamic address (Col. 5, lines 39-61).

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6. Claims 20, 40-41 and 43-44 rejected under 35 U.S.C. 103(a) as being unpatentable over Agraharam/ Johnson and Kupczyk as applied to claims 1 and 15 above, and further in view of Schuyler (USP 6429773).

Regarding claims 41 and 43, Agraharam/ Johnson and Kupczyk fail to disclose operation comprises at least one of the following starting said vehicle, or deactivating an alarm on said vehicle. In the same field of endeavor, Schuyler discloses sending a message to deactivate an alarm (Col. 2, lines 24-48).

Since, a method and system for deactivating alarm is well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a method and system for deactivating alarm as disclosed Schuyler in the teaching of Agraharam/ Johnson and Kupczyk. The motivation would have been to allow the owner of the vehicle to open the car door.

Regarding claim 20, Kupczyk discloses operation controls said vehicle (Col. 8, lines 38-58).

Regarding claims 40 and 44, Agraharam/ Johnson and Kupczyk fail to disclose said message is encrypted. However, the examiner takes an official notice that a method and system for encrypting a message is well known and expected in the art at the time of invention was made. Therefore, it would have been obvious to one of ordinary skill in the art to encrypt information of the message before transmitting into the teaching of Kupczyk and Willkie. The motivation would have been to protect data.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (571) 272-3159. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, consisting of a stylized 'S' followed by a large loop and a horizontal stroke.

Steven HD Nguyen
Primary Examiner
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